

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOHN DONOSO,

Plaintiff,

vs.

PORTFOLIO RECOVERY
ASSOCIATES,

Defendant.

Civil Action No.:
|

**NOTICE OF REMOVAL OF
CIVIL ACTION FROM STATE COURT**

**TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Defendant, Portfolio Recovery Associates, LLC (incorrectly plead as Portfolio Recovery Associates) (hereinafter referred to as “PRA”), by and through its undersigned counsel, respectfully represents as follows:

1. PRA is the Defendant in the above entitled action.
2. On or about November 28, 2012, Plaintiff John Donoso (hereinafter referred to as “Plaintiff”) filed suit against PRA. The suit was filed in the Superior Court of New Jersey, Union County, Law Division, Special Civil Part and was assigned docket number DC-016083-12. A true copy of the Complaint is attached hereto as Exhibit “A”.
3. The Complaint seeks, inter alia, damages for injuries allegedly arising from the collection of debt and/or credit reporting. (See Exhibit A).
4. Although not titled as such, this action seeks damages for alleged acts which violate the Fair Credit Reporting Act (hereinafter the “FCRA”) 15 U.S.C. § 1681 et seq. and/or the Fair Debt Collection Practices Act (hereinafter the “FDCPA”) 15 U.S.C. § 1692 et seq.
5. This Court has original jurisdiction over the above entitled action pursuant to 28

U.S.C. § 1331, as it involves a federal question with regards to the alleged violations of the FDCPA, 15 U.S.C. § 1692 et seq.

6. This action must therefore be removed to this Honorable Court pursuant to 28 U.S.C. § 1441(a).

7. Furthermore, this court will have pendent jurisdiction over any other state claims asserted or that may be asserted by the Plaintiff.

8. The Complaint was served upon PRA on or about December 10, 2012.

9. This notice is timely filed with this Court within thirty (30) days after service of the Complaint on Defendant in the above entitled action pursuant to 28 U.S.C. § 1446(b).

10. Attached hereto as Exhibit "B" is a true copy of the Notice of Filing of Removal which was sent to all other parties on this date.

11. Attached are the following process, pleadings, and orders served upon Defendant in this action which are known to me:

a. Plaintiff's Summons and Complaint – Exhibit "A"

WHEREFORE, Defendant Portfolio Recovery Associates, LLC, respectfully requests that the above entitled action be removed from the Law Division of the Superior Court of New Jersey, Union County, Special Civil Part.

Respectfully submitted,
Maurice & Needleman, PC
/s/ Thomas R. Dominczyk
Thomas R. Dominczyk
Maurice & Needleman, P.C.
5 Walter E. Foran Blvd., Suite 2007
Flemington, NJ 08822
(908) 237-4550
(908) 237-4551(fax)
Attorneys for Defendant
Portfolio Recovery Associates, LLC

Dated: January 7, 2013